



General Assembly

***Substitute Bill No. 1306***

*January Session, 2007*

\*       SB01306JUD      043007      \*

***AN ACT CONCERNING ORGANIZED RETAIL THEFT.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1       Section 1. (NEW) (*Effective October 1, 2007*) (a) As used in this  
2       section:

3       (1) "Retail property" means any new article, product, commodity,  
4       item or component intended to be sold in retail commerce;

5       (2) "Value" means the retail value of an item as advertised by the  
6       affected retail establishment, including applicable taxes; and

7       (3) "Retail property fence" means a person or business that buys  
8       retail property knowing that the property is stolen.

9       (b) Any person who, for financial gain and in conjunction with one  
10      or more other persons, commits larceny by shoplifting, as defined in  
11      subdivision (9) of section 53a-119 of the general statutes, of retail  
12      property having an aggregate value exceeding one thousand dollars  
13      and (1) wrongfully takes such property during a period of one  
14      hundred eighty days, or (2) sells, delivers or otherwise transfers such  
15      property to a retail property fence, shall have committed the offense of  
16      organized retail theft.

17      (c) Any person who receives, possesses, conceals, stores, barter,  
18      sells or disposes of any retail property acquired in violation of

19 subsection (b) of this section with the intent to distribute the proceeds  
20 or otherwise promote, manage, carry on or facilitate a violation of said  
21 subsection shall have committed the offense of accessory to organized  
22 retail theft.

23 (d) It shall not be a defense to a charge of accessory to organized  
24 retail theft in violation of subsection (c) of this section that the retail  
25 property was obtained by means other than through a violation of said  
26 subsection if the property was explicitly represented to the person  
27 charged under said subsection (c) as being obtained through the  
28 commission of organized retail theft.

29 (e) Any person who violates subsection (b) of this section shall be  
30 guilty of a class A misdemeanor, except that, if such person derives a  
31 financial benefit of five thousand dollars or more as a result of such  
32 violation, such person shall be guilty of a class D felony.

33 (f) Any person who violates subsection (c) of this section shall be  
34 guilty of a class B misdemeanor, except that, if such person derives a  
35 financial benefit of five thousand dollars or more as a result of such  
36 violation, such person shall be guilty of a class A misdemeanor.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2007	New section

**JUD**      *Joint Favorable Subst.*